

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

J.R. SIMPLOT COMPANY
6360 South Federal Way
Boise, ID 83706

Plaintiff,

v.

THE POPOFF MEAT COMPANY
1214 S. Washington Ave.
Lansing, MI 48910-1651

and

TIMOTHY H. McCARTHY, JR.
1214 S. Washington Ave.
Lansing, MI 48910-1651

and

Individually and in his
corporate capacity

JEROME ABOOD
1214 S. Washington Ave.
Lansing, MI 48910-1651

Individually and in his
corporate capacity

Defendants.

Case No. 5:06-cv-0208

Hon. Gordon J. Quist
U.S. District Judge

**ORDER GRANTING BYRON BANK'S MOTION
TO SUBSTITUTE FOR PLAINTIFF, J.D. SIMPLOT COMPANY**

Upon review of Byron Bank's Motion to Substitute for Plaintiff, J.R. Simplot Company, pursuant to Fed R. Civ. P. 25(c), due notice having been given and the Court having reviewed the Motion and being otherwise fully advised in the premises;

IT IS HEREBY ORDERED THAT:

- 1. Byron Bank's Motion to Substitute for Plaintiff is granted; and**
- 2. Byron Bank is granted leave to file its Amended Complaint.**

Dated: June 4, 2007

/s/ Hugh W. Brenneman, Jr.
Hugh W. Brenneman, Jr.
U.S. Magistrate Judge